

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/702,615	05/17/92	BALINES	R F-6913 (839-1)

MM51/0330

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EXAMINER
TAMAI, E.ART UNIT PAPER NUMBER
2634

DATE MAILED: 03/30/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action	Application No. 07/702,615	Applicant(s) Baines
	Examiner Karl Tamai	Group Art Unit 2834

THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) expires 4 months from the mailing date of the final rejection.
- b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Mar 15, 1999 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
 - they raise new issues that would require further consideration and/or search. (See note below).
 - they raise the issue of new matter. (See note below).
 - they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: Claims 52, 58, 77, and 78 include limitations which were not previously considered, such as different resilient materials in the supports. Claims 81-92 are new issues because they have not been previously considered.

- Applicant's response has overcome the following rejection(s):

- Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

- The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: 48, 50, 72, and 74

Claims objected to: _____

Claims rejected: 43-47, 49, 51-71, 73, and 75-80

- The proposed drawing correction filed on Mar 15, 1999 has has not been approved by the Examiner.

- Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). 45.

- Other

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Art Unit: 2834

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on March 15, 1999 have been disapproved because they introduce new matter into the drawings. 37 CFR 1.121(a)(6) states that no amendment may introduce new matter into the disclosure of an application. The original disclosure does not support the showing of an aperture in the middle of the brush support.

Information Disclosure Statement

2. The information disclosure statement filed January 29, 1999 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066. The examiner can be normally contacted on Monday through Friday from 8:00 am to 5:00 pm. The facsimile number for the Group is (703)305-3431. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist at (703) 308-1782.

KIT 

March 25, 1999


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